

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

_____)	
IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL NO. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
_____)	
)	Hon. Patti B. Saris
THIS DOCUMENT RELATES TO)	
01-CV-12257-PBS AND 01-CV-339)	
_____)	

**THE JOHNSON & JOHNSON DEFENDANTS' MOTION FOR LEAVE TO RESPOND
TO THE DUXBURY DECLARATION**

Johnson & Johnson, Ortho Biotech Products, L.P., and Centocor, Inc., by their attorneys, respectfully move this Court for leave to respond to the Duxbury Declaration. The grounds for this motion are set forth in the accompanying Memorandum of Law and Declaration of Andrew D. Schau dated May 5, 2006.

Dated: May 5, 2006

Respectfully submitted:

/s/ William F. Cavanaugh, Jr.

William F. Cavanaugh, Jr.

Andrew D. Schau

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that I conferred with counsel for plaintiffs and was advised that plaintiffs do not consent to this motion.

/s/ Andrew D. Schau
Andrew D. Schau

CERTIFICATE OF SERVICE

I certify that on May 5, 2006 a true and correct copy of the foregoing MOTION FOR LEAVE TO RESPOND TO THE DUXBURY DECLARATION was served on all counsel via Lexis/Nexis.

/s/ Andrew D. Schau
Andrew D. Schau